

Interview Summary

Application No.

09/987,035

Applicant(s)

SHAMOON ET AL.

Examiner

Clara Yang

Art Unit

2635

JS

All participants (applicant, applicant's representative, PTO personnel):

(1) Clara Yang.

(3) Warren S. Edmonds, Reg. #39,642.

(2) Brian Zimmerman.

(4) _____.

Date of Interview: 04 February 2004.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1, 39, & 40.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: _____.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Applicant's representative ~~proposed~~ proposed amendments to correct formal matters and will amend claims 1, 39, and 40 to further clarify that the remote control is capable of bi-directional communication with controlled apparatus.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

[Signature]

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

US P

PTOL-413A (08-03)
Approved for use through 07/31/2006. OMB 0851-0031
US D P R N F R

Applicant Initiated Interview Request Form

Application No. 09/987 035 First Named Applicant: Charles G. Shamoon
 Examiner C. Yang Art Unit: 2635 Status of Application: pending/FAOM
 Fax # 703-7461 9387

Tentative Participants:

(1) Exmr. Yang (2) Warren S. Edmonds, Reg # 39642
 (3) Jim. Li / S. P.E. (4) _____

Proposed Date of Interview: 02/04/2004 Proposed Time: 10:00 (AM/PM)

Type of Interview Requested:

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES

If yes, provide brief description: _____

N NO

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Obj</u>	<u>Cl 24, 25</u>	<u>N/A</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Obj</u>	<u>Cl. 16, 10, 26-28, 39, & 40</u>	<u>N/A</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Rej</u>	<u>Cl. 16</u>	<u>112, 1st #</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) <u>Rej</u>	<u>Cl 9, 25, & 30</u>	<u>112, 2nd #</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) <u>Rej</u>	<u>1-40</u>	<u>Applied Prior art</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Propose to cancel claims 24, 25, 39(?); Discuss objections to correct
 formal matters of claims; Discuss description re claim 16; Discuss applied
 prior art and how claimed invention is defined thereover.

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXAMINER'S COURTESY COPY - - DO NOT ENTER

IN THE APPLICATION OF:

APPLICANT: CHARLES G. SHAMOON ET AL.

SERIAL NO: 09/987,035

GROUP: 2632

FILED: November 13, 2001

EXAMINER: C. YANG

FOR: THERMOSTAT AND REMOTE CONTROL SYSTEM AND METHOD

PROPOSED AMENDMENT

This proposed amendment is for review by the Examiner during the personal interview scheduled for February 4, 2004 at 10:00 a.m.

IN THE CLAIMS:

1. (*Proposed Amended*) A thermostat and remote control apparatus, comprising:

a housing;

an interface disposed in said housing;

a plurality of icons on the interface, which correspond to a set of controls for items that are controlled by the apparatus;

a display screen, which indicates the current temperature setting, time and date;

a recessed program and enter button that allows a user to enter temperature settings to a thermostat;

a clear button for deleting any entered information;

an electric cradle that is used to recharge the apparatus;

a (USB) port and a plurality of serial/ parallel ports that are used to connect a computerized device to the apparatus;

an RS-232 port to standardize a transmission of serial data between any devices and the apparatus;

a microcontroller for processing information and data;

a serial to parallel converter and a parallel to serial converter; and

a transmitting means for transmitting a signal to and from an item that can be controlled by the apparatus.

2. (*Proposed Amended*) The apparatus according to claim 1, ~~further comprising an entertainment center, and~~ wherein the item controlled by the apparatus is ~~said~~ an entertainment center.

3. (*Proposed Amended*) The apparatus according to claim 1, ~~further comprising a thermostat and HVAC system, and~~ wherein the item controlled and monitored by the apparatus is ~~said~~ a thermostat and HVAC system.

4. (*Proposed Amended*) The apparatus according to claim 1, ~~further comprising household appliances, and~~ wherein items controlled by the apparatus are ~~said~~ household appliances.

5. (*Proposed Amended*) The apparatus according to claim 1, ~~further comprising devices with an X-10 protocol, and~~ wherein items controlled by the apparatus are ~~said~~ devices with an X-10 protocol.

6. (*Proposed Amended*) The apparatus according to claim 1, ~~further comprising a security system, and~~ wherein the item controlled by the apparatus is said security system.

7. (*Original*) The apparatus according to claim 6, said security system arranged and configured to open and close windows, lock and unlock doors and windows, open and close drapes and vents, and turn lights on and off on a fixed or random schedule.

8. (*Original*) The apparatus according to claim 1, further comprising a global positioning locator device.

9. (*Proposed Amended*) The apparatus according to claim 7 8, wherein said global positioning ~~satellite~~ locator device further comprises a programmed stealth alarm mode.

10. (*Proposed Amended*) The apparatus according to claim 1, ~~further comprising an OCR document scanner, and~~ wherein the item controlled by the apparatus is said an OCR document scanner.

11. (*Original*) The apparatus according to claim 1, wherein said electric cradle further comprises a memory media for storage.

12. (*Original*) The apparatus according to claim 1, wherein said electric cradle has a battery charger and chargeable battery pack.

13. *(Original)* The apparatus according to claim 1, wherein the apparatus is capable of communicating with a second thermostat and remote control apparatus.

14. *(Original)* The apparatus according to claim 13, wherein said apparatus has two-way communication capability with the second thermostat and remote control apparatuses.

15. *(Original)* The apparatus according to claim 1, wherein said microcontroller is connected to a speaker, a microphone, a camera and a plurality of external jacks.

16. *(Proposed Amended)* The apparatus according to claim 1, wherein the apparatus ~~is configured to have the capability to communicate~~ also includes a roll-over communication element for communicating through the frequency spectrum via a cell telephone, a satellite communication, a global positioning system, a weather radio, WWV time update and local RF intercommunication, whereby if one form of communication is unavailable, another communications device is automatically actuated.

17. *(Original)* The apparatus according to claim 1, wherein a computerized device is connected to a USB port for viewing, keyboard capability and storage media utilization.

18. *(Original)* The apparatus according to claim 1, wherein said apparatus further comprises a built-in timer and clock.

19. *(Original)* The apparatus according to claim 1, wherein said apparatus further comprises voice activated and recognition software.

20. *(Original)* The apparatus according to claim 1, wherein said transmitting means for transmitting information to and from an item comprises an infrared transmitter and receiver.

21. *(Original)* The apparatus according to claim 1, wherein said transmitting means for transmitting information to and from an item comprises a radio frequency transmitter and receiver.

22. *(Original)* The apparatus according to claim 1, arranged and configured such that roll-over communication capability exists between said transmitting means.

23. *(Original)* The apparatus according to claim 1, wherein said apparatus is connected to a digital port for viewing.

24. *(Proposed Canceled)* ~~The apparatus according to claim 1, further comprising health surveillance and monitoring equipment.~~

25. *(Proposed Canceled)* ~~The apparatus according to claim 23, wherein said health surveillance and monitoring equipment is configured to poll a patient's condition.~~

26. *(Proposed Amended)* The apparatus according to claim 1, ~~further comprising pet~~ wherein the item to be controlled by the apparatus includes surveillance and monitoring equipment.

27. *(Proposed Amended)* The apparatus according to claim 1, ~~further comprising~~ wherein the item to be controlled by the apparatus includes yard and greenhouse diagnosis, surveillance, supervision and maintenance equipment.

28. *(Proposed Amended)* The apparatus according to claim 1, ~~further comprising~~ wherein the item to be controlled by the apparatus includes vehicle engine start-up and warming equipment.

29. *(Original)* The apparatus according to claim 28, further comprising the configuration of said remote control apparatus to lock and unlock vehicle doors and to monitor the location of the vehicle.

30. *(Original)* The apparatus according to claim 1, ~~further comprising wherein~~ said apparatus and additional predetermined and configured ~~additional~~ said remote control ~~units that are arranged and configured~~ apparatuses are able to communicate, program, control, monitor and download data and/or ~~programs~~ program to one another using one or more of IR, RF, cell, satellite or telephone communication means.

31. *(Original)* The apparatus according to claim 1, further comprising a touch screen and at least one I/O port, said display being an LCD display, and software means internally of the remote control apparatus for controlling, monitoring and processing information and providing an interface for running additional programs, games and communication(s) software.

32. (*Original*) The apparatus according to claim 31, further comprising a parallel bus port for insertion of add-on modules, said bus port being recessed into said remote control apparatus.

33. (*Original*) The apparatus according to claim 1, further comprising means for accessing one or more other computers from said remote control apparatus, for accessing files for reading, maintaining and updating.

34. (*Original*) The apparatus according to claim 1, further comprising means for TV and/or radio audio-visual communications from said remote control unit.

35. (*Original*) The apparatus according to claim 1, further comprising means for teleconferencing from said remote control unit.

36. (*Original*) The apparatus according to claim 1, further comprising means for monitoring and controlling water and/or air contamination and decontamination.

37. (*Original*) The apparatus according to claim 1, further comprising means for monitoring and controlling one or more of swimming pool water levels, temperature, PH and temperature.

38. (*Original*) A thermostat and remote control system, comprising:

(a) at least one server computer having a processor, an area of main memory for executing program code under the direction of the processor, a storage device for storing data and program code, and a bus connecting the processor main memory and the storage device;

(b) at least one relational database on said storage device;

(c) a data communications device connected to said bus for connecting said server computer to the Internet; and

(d) a web-based thermostat and remote control computer code stored in said storage device and executing in said main memory under the direction of said processor, the computer program including means for running and controlling the hardware of the thermostat and remote control apparatus.

39. (*Proposed Amended*) A controlled remote control apparatus, comprising:

a housing;

an interface disposed in said housing;

a plurality of icons on the interface, which correspond to a set of controls for items that are controlled by the apparatus;

a display screen;

a clear button for deleting any entered information;

a (USB) port for the uploading and downloading of predetermined software and data;

a microcontroller for processing information and data;

a serial to parallel converter, and a parallel to serial converter; and

a transmitting means for transmitting a signal to and from an item that can control the apparatus.

40. (*Proposed Amended*) The apparatus according to claim 39, further comprising

a thermostat and remote control apparatus, which comprises:

a housing;

an interface disposed in said housing;
a plurality of icons on the interface, which correspond to a set of controls for items that are controlled by the apparatus;
a display screen, which indicates the current temperature setting, time and date;
a recessed program and enter button that allows a user to enter temperature settings to a thermostat;
a clear button for deleting any entered information;
an electric cradle that is used to recharge the apparatus;
a (USB) port and a plurality of serial/ parallel ports that are used to connect a computerized device to the apparatus;
an RS-232 port to standardize a transmission of serial data between any devices and the apparatus;
a microcontroller for processing information and data;
a serial to parallel converter and a parallel to serial converter; and
a transmitting means for transmitting a signal to and from said controlled remote control apparatus.

IN THE ABSTRACT:

~~A thermostat and remote control apparatus, that is made up of a housing, an interface, a plurality of icons on the interface, corresponding to controls for items, a display screen, indicating the current temperature setting, time and date, a recessed program and enter button for entering temperature settings to a thermostat, a clear button for deleting any entered information, a cradle that is used to recharge the apparatus, a universal serial bus port (USB) connecting a computerized device to the apparatus, an~~

RS-232 port to standardize a transmission of serial data between any devices and the apparatus, and a microcontroller for processing information and data. A thermostat and a remote control for universally bi-directional communications therebetween. Each of the thermostat and the remote control include a housing, an interface having a plurality of icons on the interface. Each icon having a correspond control for items, appliances and various other electronics. A display screen for indicating the current temperature setting, time and date. Each of the thermostat and remote control being programmable. The remote control additionally provided with a cradle for recharging the power supply of the remote control. The cradle also providing a universal serial bus port (USB) for connection to a computerized device, an RS-232 port to standardize a transmission of serial data between any devices and the apparatus, and a microcontroller for processing information and data. The apparatus utilizes infrared and radio frequency technology for transmitting and receiving information from various items. A controlled apparatus with a microprocessor (e.g., a child monitor) is also disclosed.